

IN THE UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT
OF OHIO WESTERN DIVISION

Citizens Bank, N.A.,

Case No. 3:23-cv-1819

Plaintiff/Appellee,

Judge James G. Carr

v.

Abdur-Rahim Dib Dudar,

ORDER

Defendant/Appellant.

Pending is the Motion of Defendant/Appellant (hereafter Appellant) to Proceed in the U.S. Court of Appeals for the Sixth Circuit as a Pauper, filed on April 12, 2024. (Doc. 17).

By way of history, this case originates as a state court foreclosure action filed by Plaintiff/Appellee, Citizens Bank, N.A. (hereafter Plaintiff), against Defendant. This case has completed a LONG journey through the state courts ending with the Ohio Supreme Court declining to exercise jurisdiction. (Doc. 1-2).

Defendant sought to relitigate his claims in the federal system by seeking removal to this Court. (Doc. 1). On October, 20, 2023, I granted Plaintiff's Motion to Dismiss the Notice of Removal (Doc. 4), and I dismissed the case. (Doc. 7).

Defendant continued his meritless challenges by filing a Motion to Set Aside my October 20, 2023 Order. (Doc. 9). He additionally filed a Motion for Default Judgment against Plaintiff. (Doc. 10).

On March 14, 2024, I denied both motions. (Doc. 12). And while I denied Plaintiff's Motion to Deem [Defendant], as a Vexatious Litigator (Doc. 11), I warned Defendant then that if he persisted on improperly seeking relief in the federal courts, he could be subjected to such a finding, placing limitations on his ability to file pleadings in this – or any other federal court.

(Doc. 12, pgID 83).

That did not deter Defendant. He filed *another* Motion for Default Judgment on March 22, 2024. (Doc. 14). Four days later, I ordered this Motion stricken from the record for the same reasons outlined previously. (Doc. 15). I again cautioned Defendant that any further filings in this case and in this Court would subject him to a finding that he is a vexatious litigator. (*Id.*, pgID 135).

Because this Court has never had jurisdiction over this matter, the same is true for the Sixth Circuit as to any appeal he may pursue. The Defendant's various motions and pleadings were lacking in merit and properly dismissed. Despite such notice, Defendant has again submitted a meritless pleading. Ignoring these prior warnings, the defendant relentless filings of frivolous pleadings has continued.

This is so, despite my warning about what would happen if he were to have continued, as he has, such filings.

In light of his status as a vexatious filer, I decline to grant him leave to proceed as a pauper.

It is accordingly,

Ordered That:

1. Defendant is a vexatious filer.
2. In the event the defendant files any further pleading in this or any other Federal Court, the Clerk of Court shall return all documents to him unopened; and
3. Defendant's Motion/Affidavit to Proceed in Forma Pauperis (Doc. 17) is **denied**.

SO ORDERED.

/s/ James G. Carr
Sr. U.S. District Judge